

**THE COUNTY BULLETIN
and Uniform Compliance Guidelines
ISSUED BY THE STATE BOARD OF ACCOUNTS**

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June 1994

SPECIAL EDITION

NEW LAWS AFFECTING VARIOUS COUNTY OFFICES

The following is a digest of some of the laws passed by the 1994 Regular session of the General Assembly affecting various offices in county government. Some of the laws do not pertain directly to a particular county office, but are included in this digest for ready reference to the covered subject matter.

The digest is not intended as an expression of legal interpretations, nor is the digest intended to be all inclusive. References in the digest will be to the Indiana Code in the following form [Amends IC 33-17-10-5] which means [Amends Indiana Code, Title 33, Article 17, Chapter 10, Section 5]. Please note the effective date on each law.

PUBLIC LAW 1 - HOUSE ENROLLED ACT 1038 - EFFECTIVE VARIOUS DATES - TECHNICAL CORRECTIONS - Corrects technical errors in the Indiana Code. Reconciles numerous "blind amendments" enacted in the 1993 general assembly.

PUBLIC LAW 4 - HOUSE ENROLLED ACT 1098 - EFFECTIVE JULY 1, 1994 - ANNUAL CEMETERY REPORT

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PUBLIC LAW 4 - HOUSE ENROLLED ACT 1098 (CONTINUED)

DOMESTIC VIOLENCE - Amends IC 33-19-6-13 - Requires a court to order a person who has committed the offense of murder, causing suicide, voluntary manslaughter, reckless homicide, battery, or rape and the victim is a spouse or former spouse to pay a domestic violence prevention and treatment fee of fifty dollars (\$50.00).

OTHER COURT FEES - Amends IC 33-19 - Clarifies language concerning distribution of fees.

PUBLIC LAW 5 - HOUSE ENROLLED ACT 1272 - EFFECTIVE JANUARY 1, 1994

(RETROACTIVE); MARCH 18, 1994 - RIVERBOAT GAMBLING - Permits riverboat referenda in counties contiguous to the Ohio River, Patoka Lake, and some counties contiguous to Lake Michigan in November 1994 in addition to the referenda authorized for May 1994.

PUBLIC LAW 7 - HOUSE ENROLLED ACT 1339 - EFFECTIVE JULY 1, 1994 - Amends IC

3-13-6-2. Vacancy in office of prosecuting attorney. Provides that if a vacancy occurs in the office of prosecuting attorney, the chief deputy prosecuting attorney shall be the acting prosecuting attorney until the vacancy is filled by the governor.

PUBLIC LAW 8 - SENATE ENROLLED ACT 10 - EFFECTIVE MARCH 18, 1994 - ECONOMIC

DEVELOPMENT - Allows enterprise zone businesses that submitted a verified summary of the amount of tax credits and exemptions claimed by the business in the preceding year and paid their registration fees after August 2, 1993, and before December 31, 1993, to resubmit their application before May 1, 1994.

PUBLIC LAW 9 - HOUSE ENROLLED ACT 1295 - EFFECTIVE JULY 1, 1994 - URBAN

ENTERPRISE ZONES - Amends IC 4-4-6.1-4. Adds a representative of organized labor to an urban enterprise association formed for an enterprise zone.

PUBLIC LAW 11 - SENATE ENROLLED ACT 24 - VARIOUS EFFECTIVE DATES - CONVICTED

SEX OFFENDERS - Amends: IC 4-13-2-14.7; IC 5-2; IC 11-13-3-4; IC 20-6.1; IC 22-5-5; IC 33-14-1-8; IC 35. Establishes a sex offender registry for persons convicted of a sex offense against a child. Requires a person convicted of a child related sex offense to register with a local law enforcement authority. Requires that the registry must include certain identifying information.

PUBLIC LAW 12 - HOUSE ENROLLED ACT 1327 - EFFECTIVE JULY 1, 1994 - VARIOUS

CITATIONS - MISSING AND UNIDENTIFIED CHILDREN - Brings Indiana into compliance with the federal Missing Children's Act of 1982 and the Missing Children's Assistance Act of 1984. Requires all law enforcement agencies to enter and revise reports on a daily basis concerning missing or unidentified children with the National Crime Information Center.

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PUBLIC LAW 13 - HOUSE ENROLLED ACT 1049 - EFFECTIVE JULY 1, 1994 - PUBLIC

PURCHASES - PRICE PREFERENCES - Amends IC 5-17-6. Restricts a bidder on a purchase or procurement contract to a claim for: (1) an Indiana business preference; or (2) a preference for supplies. Restricts a bidder on a purchase or procurement contract to one preference provided for an item of supplies, but does not affect department action under rules concerning the purchase of supplies manufactured in the United States. Removes a price preference for recycled goods when all bidders are required to bid on recycled goods. Removes a price preference on soybean oil based ink when all bidders are required to bid on soybean oil based ink. Removes a price preference on fuel that is 20% soy diesel/bio diesel when all bidders are required to bid on fuel that is 20% soy diesel/bio diesel.

PUBLIC LAW 14 - HOUSE ENROLLED ACT 1306 - EFFECTIVE JULY 1, 1994 - Amends IC

4-21.5-5-1; IC 22-9-1; IC 22-9-8; IC 22-9.5-6-14; IC 22-9.5-11. Civil rights commission appeals. Provides that a complainant or respondent, with the other party's written agreement, may elect to file a complaint with the circuit or superior court having jurisdiction in the county in which the alleged discriminatory practice occurred if the director of the civil rights commission finds, after an investigation, probable cause to believe that an illegal discriminatory practice occurred.

PUBLIC LAW 16 - SENATE ENROLLED ACT 417 - EFFECTIVE MARCH 18 AND JULY 1,

1994 - SOLID WASTE - IDEM - Adds several new articles and chapters to Title 13 regarding landfill permits and fees, creates an office of voluntary compliance and an environmental quality service council. Those municipalities that own landfills are encouraged to review this law.

PUBLIC LAW 18 - SENATE ENROLLED ACT 183 - STATE ADMINISTRATION - Citations

Affected: IC 4-32; IC 5-13-6-1; IC 6; IC 10-1-1-25. Allows only organizations in existence in Indiana for at least five years to be licensed to conduct games of chance. Allows person less than 18 years of age to sell raffle tickets or chances. Transfers airplane excise tax registration functions from the Indiana Department of Transportation to the Department of State Revenue. Decreases the waiting period from 30 days to 20 days before the Department of State Revenue may file a tax warrant with a circuit court or deliver the tax warrant to a sheriff for collection.

PUBLIC LAW 19 - HOUSE ENROLLED ACT 1299 - EFFECTIVE JANUARY 1 AND JULY 1,

1994 - AIRPORT AUTHORITIES - Adds IC 6-1.1-18.5-20. States that the ad volorem property tax levy limits do not apply to the ad volorem property taxes imposed by a local airport authority for a cumulative building fund.

EDIT TAX DEBT - Amends IC 6-3.5-7-14. Adds lease payments to the formula for calculating the EDIT tax rate when a body that imposed the tax wishes to reduce the rate.

HENDRICKS COUNTY ADMISSION TAX - Adds IC 6-9-28. Creates a new county Amusement tax in Hendricks County.

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PUBLIC LAW 19 - HOUSE ENROLLED ACT 1299 (CONTINUED)

TAX INCREMENT FINANCE - Amends IC 36-7-14-39.3. Redefines depreciable personal property to include all other depreciable personal property located and taxable on the designated taxpayers site of operations within the allocation area.

PUBLIC LAW 20 - HOUSE ENROLLED ACT 1294 - EFFECTIVE JULY 1, 1994 - HOME

DETENTION - Amends IC 5-2-5-1; IC 35-38. Provides that an offender's time spent in home detention may not exceed: (1) the minimum term of confinement for a felony if the offender commits a felony; or (2) the maximum term of confinement for a misdemeanor if the offender commits a misdemeanor. Specifies that a person's term of confinement on home detention is computed on the basis of the actual days the person spends on home detention. Expands the definition of a community corrections program. Provides that an offender who is placed in a community corrections program is entitled to earn credit time unless the offender is placed in the offender's home. Expands the definition of criminal justice agency to include a governmental agency or department whose principal function is the licensing and regulating of riverboat gambling operations.

PUBLIC LAW 21 - SENATE ENROLLED ACT 436 - EFFECTIVE JULY 1, 1994 - PUBLIC

SAFETY IMPROVEMENT AREAS - Citations Affected: IC 5-2-6-3; IC 35-38-1-7.1; IC 36-8-19.5. Provides for enhancing the safety of consolidated and second class cities by allowing a legislative body to apply to the Indiana Criminal Justice institute to have an area of the city designated as a public safety improvement area. Requires that as part of the legislative body's application, the legislative body shall submit a plan for improving public safety within the area. Prohibits the institute from designating an area as a public safety improvement area unless that area: (1) has a high crime rate; (2) has boundaries that are expressly designated by the legislative body; and (3) comprises not more than 20% of the city's geographical territory. Prescribes guidelines for the institute's administration of the application and approval process for designating an area as a public safety improvement area. Provides that a court may consider the commission of an offense within a public safety improvement area to be: (1) an aggravating circumstance for sentencing purposes; or (2) a factor supporting the imposition of consecutive terms of imprisonment.

PUBLIC LAW 22 - HOUSE ENROLLED ACT 1076 - EFFECTIVE JULY 1, 1994 - LAW

ENFORCEMENT CONTINUING EDUCATION, FIREFIGHTERS AND EMERGENCY MEDICAL TECHNICIANS' TRAINING - Amends IC 5-2-8-2, IC 26-8-10.5-7 and IC 16-31-3-2. Requires law enforcement officers, full-time and volunteer firefighters and emergency medical technicians to receive training on sudden infant death syndrome. Full-time or volunteer firefighters hired before July 1, 1994, and emergency medical technicians certified before July 1, 1994, have until July 1, 1996, to meet such requirement.

PUBLIC LAW 23 - SENATE ENROLLED ACT 322 - EFFECTIVE JULY 1, 1994; JULY 1,

1995 - COURT ORDERS - Citations Affected: IC 5-2-9; IC 31; IC 33-14-1-7; IC 34-4-5.1; IC 35. Makes changes in the law concerning protective order depositories. Makes changes in the law concerning the

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PUBLIC LAW 23 - SENATE ENROLLED ACT 322 (CONTINUED)

issuance of certain court restraining orders, including orders that may be issued under the law concerning: (1) actions for the dissolution of marriage, legal separation, child support, and child custody; (2) delinquent children and children in need of services; (3) protective orders; (4) emergency protective orders; (5) conditions under which bail is granted; and (6) conditions of probation. Makes certain changes to the conditions for diversion programs.

PUBLIC LAW 25 - HOUSE ENROLLED ACT 1360 - EFFECTIVE JULY 1, 1994 - PUBLIC EMPLOYEES RETIREMENT FUND - Amends IC 5-10.2. Allows PERF Board to charge reasonable costs of locating a member or a member's beneficiary against a member's account where the member has suspended membership and has not withdrawn contributions. Allows members that elect to receive benefits while holding elective office to receive retroactive payments of such benefits.

PUBLIC LAW 27 - HOUSE ENROLLED ACT 1259 - EFFECTIVE JULY 1, 1994 - COLA FOR PERF AND TRF MEMBERS - Citations Affected: IC 5-10.2-5-22. Provides a cost-of-living adjustment ranging from 1% to 3% for retired or disabled members of the public employees' retirement fund or the Indiana state teacher's retirement fund (or their survivors or beneficiaries) who retired before July 2, 1992.

PUBLIC LAW 28 - SENATE ENROLLED ACT 288 - EFFECTIVE JULY 1, 1994 - PUBLIC DEPOSITORY LAW - Amends IC 5-13-4-10. Redefines a credit union for the purposes of qualifying as a financial institution as any state chartered credit union in Indiana that is federally insured or privately insured and has assets of three million dollars (\$3,000,000) or more.

PUBLIC LAW 29 - SENATE ENROLLED ACT 165 - EFFECTIVE JULY 1, 1994 - PUBLIC DEPOSITORIES - Citations Affected: IC 5-13-7-2; IC 5-13-8-5. Authorizes any political subdivision in Marion County to designate the county board of finance to act on behalf of the political subdivision for purposes of designation and supervision of public depositories. Authorizes local boards of finance to determine whether to participate in county wide selection of public depositories.

PUBLIC LAW 30 - SENATE ENROLLED ACT 215 - EFFECTIVE JULY 1, 1994 - COUNTY TREASURER AMENDMENTS - Citations Affected: IC 6-1.1; IC 6-4.1-9. Requires the county treasurer to invest any money accumulated in the property reassessment fund until the money is needed to pay general reassessment expenses. Requires the county treasurer to maintain records when a receipt is not provided to a taxpayer for taxes paid by the taxpayer. Requires the county treasurer to furnish a receipt, if a receipt is requested by the taxpayer. Requires the state, state educational institutions, and other governmental entities to provide the county treasurer in the county where the entity is located with a list of employees who are employed by the entity in the county. Requires that a county treasurer who finds a person on the list who owes delinquent taxes must notify the entity employing the person. Extends to other counties the authority currently granted to Marion

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PUBLIC LAW 30 - SENATE ENROLLED ACT 215 (CONTINUED)

County to accept partial payments for delinquent property taxes, assessments, penalties, interest, or costs after the list of real property subject to a delinquency is certified. Requires the county treasurer to deliver a warrant for collected inheritance taxes to the state within 30 days after the county treasurer submits the related report. Allows a county treasurer to compromise a claim for delinquent taxes, interest, or penalties that is owed by a taxpayer with a bankruptcy proceeding pending for not less than 75% of the amount due. Repeals the provision specifying that a county treasurer is personally liable for interest due on late inheritance tax payments to the state.

PUBLIC LAW 31 - HOUSE ENROLLED ACT 1238 - EFFECTIVE MARCH 14, 1994; JULY 1, 1994 - TAX SALES AND REDEVELOPMENT - PROPERTY TAXES AND DEDUCTIONS -

Citations Affected IC 6-1.1; IC 36-2-7-10; IC 36-7. Adds IC 6-1.1-10-41 and IC 6-1.1-12-39. Requires the property tax to be paid by a buyer of property that is owned by the state or a political subdivision and is being sold under contract to a person who uses the property for a taxable purpose. Provides that a buyer under those circumstances is eligible for property tax deductions allowed by statute.

ECONOMIC REVITALIZATION AREA - Amends IC 6-1.1-12.1-2 and expands to counties other than Marion County the authority to make alternative findings to support a property tax deduction in a residentially distressed area. Changes the standard for determining which tax delinquent properties may be acquired by the metropolitan development commission. Changes the standard for acquiring property by eminent domain for reuse as low cost housing or other development. Provides that in Marion County the metropolitan development commission is entitled to acquire certain tax delinquent property and to use that property for redevelopment purposes or urban homesteading. Amended IC 36-2-7-10 to establish a fee in an amount authorized by an ordinance adopted by legislative body for duplicating a computer disk or other media.

METRO PLAN COMMISSION - EFFECTIVE MARCH 14, 1994 - Amends IC 36-7-4-508 - Requires that only a summary of the commission's comprehensive plan be recorded in the county recorder's office. Allows delinquent tax sale property acquired by a local governmental entity to be transferred to certain nonprofit corporations for development as low cost housing or other development. Allows the designee of an enforcement authority to bring a civil proceeding concerning unsafe buildings. Makes other changes in deadlines in statutes concerning disposal of tax delinquent property.

UNSAFE PREMISES - Amends IC 36-7-9, Adds IC 36-7-9-13.5. Allows unpaid enforcement costs to be certified to the county auditor as special assessments for collection as delinquent property taxes are collected.

PUBLIC LAW 32 - HOUSE ENROLLED ACT 1243 - EFFECTIVE MARCH 14, 1994 -

ECONOMIC REVITALIZATION AREAS - Towns of Ossian and Mooresville - Adds IC 6-1.1-12.1-10. Allows retroactive treatment of statement of benefits filed for prior years.

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PUBLIC LAW 33 - SENATE ENROLLED ACT 148 - EFFECTIVE JANUARY 1, 1994 AND

MARCH 1, 1994 - BUDGETS AND TAX LEVIES - Amends IC 6-1.1-17-3, IC 6-1.1-18, Repeals IC 6-1.1-28-5. Requires a political subdivision to give notice to taxpayers of its estimated budget, the proposed tax levy, the tax levy currently in effect, and the percentage change in these tax levies, by publication of a notice beginning in 1995.

SOLID WASTE MANAGEMENT DISTRICTS - Allows a district's board of directors to conduct a public hearing on the district's budget in any county in which the district is located.

PUBLIC LAW 34 - SENATE ENROLLED ACT 239 - EFFECTIVE MARCH 18 AND JULY 1,

1994 - SOLID WASTE MANAGEMENT DISTRICTS - Amends IC 6-1.1-17-3 and IC 13-9-5. Adds powers to listed powers of the District Board. Allows a board to apply for a household hazardous waste project grant and to make grants or loans to public or private recycling programs, composting programs, or any other programs that reuse any component of the waste stream as material component of another product. Permits a district board to establish by resolution a nonreverting capital fund. Requires a district's budget to be sent to the county executive and fiscal bodies. Changes the penalty prescribed in IC 13-9.5-9-2 from 10% to \$25. Creates a solid waste management districts study commission.

PUBLIC LAW 35 - HOUSE ENROLLED ACT 1079 - EFFECTIVE MARCH 1 AND JULY 1, 1994

- BUDGETS AND TAX LEVIES - Amends IC 6-1.1-17-16. Requires a political subdivision to decide how to make reductions in their budgets within one week after the State Board of Tax Commissioners make a reduction in the budget.

TAX ADJUSTMENT BOARD - Amends IC 6-1.1-29-4. Requires those counties with such board to meet on September 18.

PUBLIC LAW 36 - HOUSE ENROLLED ACT 1380 - EFFECTIVE JULY 1, 1994 - COUNTY

FAMILY AND CHILDREN SERVICES - IC 6-1.1; IC 12; IC 20; IC 21. Establishes a family and children's fund (FCF) in each county from which the expenditures for services for children adjudicated to be children in need of services (CHINS) or delinquent children are made. IC 12-19-7 is added to the Indiana Code as a new chapter to read as follows (effective July 1, 1994):

Chapter 7. County Financing of Certain Family and Children Services

Sec. 1. (a) As used in this chapter, "child services" means child welfare services specifically provided for children who are:

(1) adjudicated to be:

(A) children in need of services; or

(B) delinquent children; or

(2) recipients of or are eligible for:

(A) informal adjustments;

(B) service referral agreements; and

(C) adoption assistance;

the costs of using an institution or facility for providing educational services as described in either IC 20-8.1-3-36 (if applicable) or IC 20-8.1-6.1-8 (if applicable), and the costs of paying the amount described in subsection (b).

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PUBLIC LAW 36 - HOUSE ENROLLED ACT 1380 (CONTINUED)

(b) After June 30, 1995, the term includes the costs of reimbursing a school corporation for the extraordinary transportation expenses incurred by the school corporation to transport a child who:

- (1) is described in subsection (a)(1);
- (2) has legal settlement (as defined in IC 20-8.1-1-7.1) in the county;
- and
- (3) is attending under IC 20-8.1-6.1-5(a) a school corporation where the child does not have legal settlement (as defined in IC 20-8.1-1-7.1).

IC 12-13-7-17 is amended to read as follows (effective July 1, 1994): Sec. 17. The part of the care and maintenance of the inmates of the Indiana Boys' School and the Indiana Girls' School that under law is to be charged back to the counties shall be paid from the county general fund and not the county welfare fund or the county family and children's fund, unless otherwise provided by law.

TRANSFER TUITION - Amends IC 20-8.1-6.1-8 and adds IC 12-19-7-34. Beginning July 1, 1995, provides that if a child is placed in a facility by or with the consent of the division of family and children, by a court, or by a child placing agency licensed by the division of family and children and the facility is not located within the school corporation in which the student has legal settlement, the school corporation of legal settlement shall pay the transfer tuition of the student to the school corporation in which the facility is located. Beginning July 1, 1995, provides that the county office of family and children shall reimburse a school corporation or institution or facility for educational and extraordinary transportation expenses associated with the child's placement, if the child is placed in a facility or institution because the child is a child in need of services or is a delinquent child.

PUBLIC LAW 37 - HOUSE ENROLLED ACT 1123 - EFFECTIVE MARCH 18 AND JULY 1, 1994 - FIRE PROTECTION TERRITORIES - HENDRICKS COUNTY - Adds IC 36-8-19. Creates new fire protection territories in Hendricks County.

PUBLIC LAW 39 - HOUSE ENROLLED ACT 1385 - EFFECTIVE JANUARY 1, 1995 - REAL ESTATE TAX SALE - Amends IC 6-1.1-24-1 Delinquent Property Taxes to read: Any property taxes from the prior year's spring installment or before are delinquent as determined under IC 6-1.1-37-10.

SPECIAL ASSESSMENTS - States that a special assessment is delinquent for purposes of the tax sale if the special assessment: (a) has been billed at least one (1) time by the county treasurer; and (b) remains unpaid after the payment due date specified in the billing described in (a). Amends IC 6-1.1-24-2. Requires the notice of delinquency to explain the procedures used to enter a tax sale judgment. Specifies when certain notices are to be posted and published and when defenses must be filed with the court in which a tax sale proceeding is pending.

Adds IC 6-1.1-24-5.5. Allows real property that is unsold at a tax sale to be offered in a second expedited tax sale in the first three months of the following year.

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PUBLIC LAW 39 - HOUSE ENROLLED ACT 1385 (CONTINUED)

Amends IC 6-1.1-24-6. Changes the date when the county acquires a lien from November 1 to **on the day after the last date on which the tract or item was offered for sale the second time.**

Adds new section IC 6-1.1-24-6.7. Which provides procedures that allow the county commissioner to transfer unsold property on which delinquent real property taxes are due to a nonprofit corporation for redevelopment.

Amends IC 6-1.1-25-4. To specify when a deed for real property that is sold at a tax sale and not redeemed may be transferred to the purchaser.

Adds new section IC 6-1.1-25-4.1. To provide procedures for the delivery of a deed for property: (1) on which delinquent real property taxes are due; (2) that is unsold; and (3) that contains an environmental hazard, free of liens, to a person for elimination of the environmental hazard.

Amends IC 6-1.1-25-4.5, 4.6, and 7. To make other changes concerning the expiration of certificates of sale.

EFFECTIVE MARCH 11, 1994 - Amends IC 6-1.1-25-9. To allow county to use the proceeds of certain sales to defray the costs of maintaining and preserving property that is subject to a tax sale.

EFFECTIVE JULY 1, 1994 - Amends IC 36-7-14-22. To allow a county to transfer certain property without charge to a redevelopment commission for sale or grant to a qualifying corporation such as a neighborhood development corporation. Provides procedures for sale or grant of property from a redevelopment commission to a neighborhood development corporation.

PUBLIC LAW 42 - HOUSE ENROLLED ACT 1319 - EFFECTIVE MARCH 18 AND JULY 1, 1994 - COUNTY ADJUSTED GROSS INCOME TAX AND COUNTY OPTION INCOME TAX -

Amends and adds to IC 6-3.5. Makes several changes to the CAGIT and COIT laws concerning adoption, increasing, decreasing or rescinding such taxes.

PUBLIC LAW 43 - SENATE ENROLLED ACT 67 - EFFECTIVE JANUARY 1, 1994

(RETROACTIVE) - MOTOR VEHICLE TAXATION SURTAX - Provides that county excise surtax and wheel taxes do not apply to the registration of a motor vehicle for the registration year that commenced in the calendar year preceding the year the surtax is first effective.

MOTOR VEHICLE EXCISE TAX - EFFECTIVE JANUARY 1, 1995 - Amends IC 6-6-5-7. Provides that a taxpayer is entitled to a refund of motor vehicle excise taxes to the extent the taxpayer cannot use previous taxes paid as a credit for a new registration, if the refund is at least \$4. Provides a fee of \$3 for a refund (\$1.50 to the bureau of motor vehicles commission and \$1.50 to the county, which is to be receipted to the County General Fund.)

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PUBLIC LAW 44 - HOUSE ENROLLED ACT 1398 - EFFECTIVE MARCH 17 AND JULY 1, 1994 - EDIT TAX - Amends IC 6-35, Adds IC 6-3.5-7-22 and IC 36-7-29. Allows Tippecanoe County economic development income tax rate plus the county option income tax rate to equal up to one and twenty-five hundredths percent (1.25%). Allows a designated unit to fund substance removal or remedial action in a designated unit with EDIT taxes.

PUBLIC LAW 45 - HOUSE ENROLLED ACT 1268 - EFFECTIVE JULY 1, 1994 - RURAL TRANSIT SYSTEMS GAS TAX REFUNDS - IC 6-6-1.1. Provides that a rural transit system is entitled to a refund of tax paid on gasoline used for transporting persons for compensation by means of a motor vehicle or trackless trolley within a specific service area under a contract between the rural transit system and the counties within the service area. Provides that the claim of a rural transit system for a refund must include the system's quarterly operating statement, a current balance sheet, and a schedule of salaries that exceed \$10,000 per year that are paid to officers or employees.

PUBLIC LAW 47 - HOUSE ENROLLED ACT 1078 - EFFECTIVE JULY 1, 1994 - LOCAL HEALTH MAINTENANCE FUND - Amends IC 6-7-1-30.5. Removes the December 31, 1997, expiration date for annual distributions from the state general fund.

PUBLIC LAW 49 - HOUSE ENROLLED ACT 1091 - EFFECTIVE MARCH 14 AND JULY 1, 1994 - INKEEPER'S TAX - IC 6-9. Allows the inkeeper's tax rate that is charged in Vanderburgh County to be increased from 2% to a maximum of 5%. Provides that if a riverboat begins operation from Vanderburgh County, at least one of the members of the convention and visitor commission for the county must represent the interests of riverboats in the county. Requires that before an expenditure is payable from the Vanderburgh County tourism capital improvement fund, the project for which the expenditure will be made must have been recommended to the county council by the convention and visitor commission, and approved by the county council. Requires the Vanderburgh County treasurer to establish a tourism capital improvement fund. Increases the inkeeper's tax rate in St. Joseph County from 5% to 6%. Increases the inkeeper's tax rate in Allen County from 5% to 6%. Requires that at least one-sixth of the proceeds of the Allen County inkeeper's tax must be used to provide grants to the Allen County convention and visitor bureau. Legalizes expenditures of inkeeper's tax in St. Joseph County and requires the board of managers to submit a report on the cost effectiveness of expenditures to the St. Joseph County council.

PUBLIC LAW 50 - HOUSE ENROLLED ACT 1016 - EFFECTIVE MARCH 2, 1994 - FOOD AND BEVERAGE TAX - HENRY COUNTY - Amends IC 6-9-25 and adds IC 6-9-25-9.5 and 10.5, 10.7, 11.5 and 13 and 14. Establishes a capital improvements committee and a county food and beverage tax council in Henry County.

PUBLIC LAW 51 - HOUSE ENROLLED ACT 1080 - EFFECTIVE JULY 1, 1994 - ALCOHOLIC BEVERAGE PERMITS - Amends IC 7.1-3-9.5. Changes approval process for obtaining a temporary caterer's permit in counties having a population of over 150,000.

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PUBLIC LAW 53 - HOUSE ENROLLED ACT 1412 - EFFECTIVE JULY 1, 1994 - OPEN

CONTAINER LAW - Adds IC 9-24-18-12, IC 9-13-2-2.3, IC 9-13-2-34.5, IC 9-30-5, IC 9-30-6 and IC 9-30-15. Makes it a Class B infraction to operate a motor vehicle with an open alcoholic beverage container in the passenger compartment. Makes numerous other changes to the laws dealing with driving while intoxicated.

PUBLIC LAW 54 - SENATE ENROLLED ACT 77 - EFFECTIVE MARCH 18, 1994 -

UNDERGROUND FACILITIES - Amends IC 8-1-26. Changes the notice requirements before commencement of work to a period of at least two (2) full working days but not more than twenty (20) calendar days.

PUBLIC LAW 56 - HOUSE ENROLLED ACT 1382 - EFFECTIVE MARCH 11 AND JULY 1,

1994 - WATERWAY MANAGEMENT DISTRICTS - CITY OF EAST CHICAGO - Adds IC 8-10-9. Creates new waterway district which is a separate governmental unit to manage and supervise the development of waterways and related roads, highways, bridges and locks within the district. The district is empowered to impose user fees to fund its operations. The governor shall appoint the members of the district's board.

PUBLIC LAW 57 - HOUSE ENROLLED ACT 1336 - EFFECTIVE JULY 1, 1994 - COVERED

BRIDGE FUNDING - IC 8-14-1-10. Increases the amount of money appropriated from the motor vehicle highway account to an eligible county for the maintenance of covered bridges in the county from \$750 to \$1,250 for each covered bridge located in the county.

PUBLIC LAW 58 - HOUSE ENROLLED ACT 1227 - EFFECTIVE MARCH 11, 1994 - CLARK

COUNTY AVIATION BOARD - IC 8-22-2-1. Allows the Clark County executive to add one member to the board of aviation commissioners to serve a four year term.

PUBLIC LAW 62 - HOUSE ENROLLED ACT 1400 - EFFECTIVE JULY 1, 1994 -

CHILDREN'S TRUST FUND - IC 9-18-30; IC 12-17-16. Establishes the Indiana children's trust fund. Provides that the trust fund will be used for the following purposes: (1) To support the development and operation in local communities of programs that prevent child abuse and neglect. (2) To develop innovative local programs of education and training concerning child abuse and neglect. (3) To promote public awareness of child abuse and neglect. Establishes a license plate to support the fund. Establishes the children's trust fund board to review and recommend projects suitable for funding. Provides that money in the fund is annually appropriated to the division of family and children to carry out the purposes of the fund.

PUBLIC LAW 64 - HOUSE ENROLLED ACT 1017 - EFFECTIVE MARCH 18, 1994 - HIGHWAY

CONSTRUCTION MACHINERY - IC 9-20-2-2; IC 9-30; IC 31-6-4-15.9; IC 35-48-4-15. Machinery; highways; compliance with federal law. Requires highway construction machinery or equipment as well as farm machinery to meet the state's weight and size limits whenever the equipment travels on the interstate highways. Requires the state to suspend, revoke, or withhold from issuing or renewing a drivers license or learner's permit for at least six months to anyone convicted in any jurisdiction of: (1) a controlled substance violation, including distribution, manufacture, cultivation, transfer, possession, use, or

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PUBLIC LAW 65 - HOUSE ENROLLED ACT 1017 (CONTINUED)

sale of a controlled substance; or (2) operating a vehicle while intoxicated, if the offense involved the use of a controlled substance. Provides that if a person's driving privileges are suspended or revoked because the person operated a vehicle while intoxicated and a controlled substance was involved, the court may not recommend probationary driving privileges unless the court finds compelling circumstances.

PUBLIC LAW 65 - HOUSE ENROLLED ACT 1281 - EFFECTIVE JULY 1, 1994 - COUNTY

SHERIFFS - IC 10-1-1-22; IC 36-2-2-24. Prohibits the person having charge of a jail, prison, reformatory, or other place of detention from receiving a prisoner arrested by a police employee of the state police department until the arresting officer has had the prisoner examined by a physician or competent medical personnel when the prisoner is visibly: (1) unconscious; (2) suffering from a serious illness; (3) suffering from a serious injury; or (4) seriously impaired by alcohol, a controlled substance, or drugs or a combination of alcohol and controlled substance, or drugs. Provides that the cost of the medical examination and treatment of a prisoner is the financial responsibility of the prisoner. Provides that a prisoner who is unable to bear the the financial responsibility for the cost of the medical examination and treatment may apply for indigent medical assistance. Allows a sheriff's office to be located: (1) in the courthouse; (2) inside the corporate limits of the county seat; or (3) outside the corporate limits of the county seat but within the limits of the county.

PUBLIC LAW 68 - SENATE ENROLLED ACT 249 - EFFECTIVE MARCH 8, 1994 - MILITARY

LEAVE - Amends IC 10-2-4-3, Adds IC 10-2-4-3.5, Repeals IC 5-9-2-1. States that a member of the Indiana National Guard, a member of a reserve component, or a member of the retired personnel of the naval, air, or ground forces of the United States is entitled to receive from the member's employer a leave of absence from the member's respective duties, in addition to the member's regular vacation period, for the total number of days that the member is on state active duty. This leave of absence may be with or without loss of time or pay at the discretion of the member's employer.

PUBLIC LAW 69 - HOUSE ENROLLED ACT 1046 - EFFECTIVE JULY 1, 1994 - COUNTY

VETERANS SERVICE OFFICER - IC 10-5-1-11. Requires the county executive of each county to designate and allows the county executive to employ a county veterans' service officer and assistants to render service to the veterans of the county. Allows a city to employ assistants to assist the city service officer.

PUBLIC LAW 72 - HOUSE ENROLLED ACT 1059 - EFFECTIVE JULY 1, 1994 - COUNTY

JAILS - HEALTH CARE - Health care for county jail inmates. Requires a person confined to a county jail to make a copayment from the person's commissary account or trust account of not more than \$10 for each provision of medical, dental, or eye care unless the person: (1) has private insurance covering the service; (2) is willing to pay; or (3) is committed to the department of correction. Provides certain

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PUBLE LAW 72 - HOUSE ENROLLED ACT 1059 (CONTINUED)

exceptions to the copayment requirement. Allows a sheriff to disburse funds from the inmate's trust fund or commissary account for the inmate's intentional destruction or loss of county property after a hearing. Requires a sheriff to adopt rules to administer the procedure before any funds may be disbursed.

PUBLIC LAW 74 - HOUSE ENROLLED ACT 1125 - EFFECTIVE MARCH 18, 1994 - CHILD

PROTECTION AND FAMILY PRESERVATION - Allows the county office of family and children to contract to provide family preservation services to families having a child at imminent risk of out of home placement. Creates an interagency child fatality review task force to develop a plan to study all deaths of children less than 18 years of age that were not reasonably anticipated or that occurred under obscure circumstances for the purpose of determining and reducing the number of preventable child deaths. Provides that the task force shall be staffed by the Indiana criminal justice institute, the state department of health, and the division of family and children.

PUBLIC LAW 79 - HOUSE ENROLLED ACT 1347 - EFFECTIVE JULY 1, 1994 - VARIOUS

CHILDREN'S ISSUES - IC 12-13-5-11; IC 31-1-11.5-28; IC 31-1-11.6; IC 31-3-1; IC 31-6-4; IC 31-6-6.1-19.5; IC 31-6-11-18; IC 33-19-8-5; IC 35. Provides that the court with jurisdiction in a divorce action may direct one or both parents to pay the guardian ad litem or court appointed special advocate user fee to the guardian ad litem or court appointed special advocate program providing services or to the individual or attorney guardian ad litem providing services. Removes from the jurisdiction of a court handling custody proceedings, child in need of services proceedings. Allows court approved postadoption visitation agreements between a birth parent and an adoptive parent under certain circumstances. Allows the probation department or the county office of family and children to file a petition to obtain a court order mandating that the parent of an alleged delinquent child participate in a program of informal adjustment. Allows the juvenile court to assign cases to a foster care review board established by the court to assist the court in reviewing foster care placements. Provides that the mother of a child born out of wedlock has sole legal custody of the child unless a statute or court order provides otherwise. Raises to 14 years or less (from 12 years or less) the age of a victim against whom child molesting is committed when the crime involves sexual intercourse or deviate sexual conduct. Eliminates the defense that the child has been married in a prosecution for child molesting. Raises to less than 14 years of age (from less than 12 years) the age of victims of the crimes of vicarious sexual gratification and child solicitation committed by persons at least 18 years of age. Provides that a person at least 18 years (raised from at least 16 years) of age who performs or submits to: (1) sexual intercourse or deviate sexual conduct with a child at least 14 years (raised from at least 12 years) of age but less than 16 years of age commits a Class C felony; or (2) fondling or touching with a child at least 14 years (raised from 12 years) of age but less than 16 years of age commits a Class D felony, and enhances the penalties if deadly

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PUBLIC LAW 79 - HOUSE ENROLLED ACT 1347 (CONTINUED)

force, a deadly weapon, or serious bodily injury is involved. Raises the class of crime for incest from a Class D felony to a Class C felony. Makes incest with a victim less than 16 years of age a Class B felony. Provides that a child less than 16 years of age who is convicted of a crime and committed by the sentencing court to the department of correction may be committed to a secure private facility designed to provide therapeutic assistance to the child if the victim of the crime does not object to the placement and the court recommends the placement to the department of correction. Provides that placement of the child in a secure private facility terminates when the child reaches 21 years of age or when the secure private facility terminates the placement. Provides that when placement in a secure private facility is terminated, the convicted person is then assigned to a department of correction facility or program for the remainder of the person's sentence.

PUBLIC LAW 83 - SENATE ENROLLED ACT 285 - EFFECTIVE MARCH 4, 1994 - EMISSION

CONTROL STANDARDS - Amends IC 13-1-1. Allows Department of Environmental Management to contract with any person defined under IC 13-7-1-17 to conduct inspections to test the emissions or emission control devices of motor vehicles.

PUBLIC LAW 84 - HOUSE ENROLLED ACT 1126 - EFFECTIVE MARCH 18 AND JULY 1,

1994 - ENVIRONMENT - Adds IC 13-1-3-2 and IC 13-1-3-21. Amends IC 13-7-8.9-7. Requires Department of Environmental Management to allow for a mixing zone in permits that involve a discharge into Lake Michigan.

PUBLIC LAW 86 - SENATE ENROLLED ACT 307 - EFFECTIVE JULY 1, 1994 -

CONSERVANCY DISTRICTS - HENDRICKS COUNTY - Adds IC 13-3-3-6.5 and IC 13-3-3-22.5. Amends IC 13-3-3 and IC 13-3-4. Allows for districts in Hendricks County to be expanded.

PUBLIC LAW 87 - SENATE ENROLLED ACT 54 - EFFECTIVE JULY 1, 1994 - HEALTH

DEPARTMENTS - TIPPECANOE COUNTY - Amends IC 16-20-2-2. Makes health ordinances adopted by a city legislative body after December 31, 1993, void.

HAZARDOUS HOUSEHOLD PRODUCTS - Adds IC 13-7-33-2.5 - Defines a hazardous household product as a household product that: (1) may cause serious injury or death when introduced into or upon the body of living human because the product is A) a poison; B) toxic; C) corrosive; D) an irritant; E) flammable; or F) radioactive; or (2) generates pressure through decomposition, heat, or other means during a customary or reasonably anticipated handling or use.

PUBLIC LAW 92 - SENATE ENROLLED ACT 331 - EFFECTIVE JULY 1, 1994 - DOG

CLAIMS - Requires a claimant for damage by a dog to animal stock to report the loss within 72 hours to a law enforcement officer or an animal control officer. Requires the officer to: (1) visit the scene of the loss; (2) verify the loss; and (3) mark the animal. Requires a claimant to show the officer's verification when the claim is filed with the township trustee. Makes certain technical changes.

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PUBLIC LAW 94 - HOUSE ENROLLED ACT 1023 - EFFECTIVE JULY 1, 1994 - HOSPITAL

CARE FOR THE INDIGENT - Requires all hospitals licensed by the state to submit to the state department of health additional detailed financial and utilization data. Makes it a Class B misdemeanor to disclose certain confidential information submitted by hospitals to the state department of health. Requires nonprofit hospitals to provide charity care and community benefits in order to keep their tax exemptions. Requires nonprofit hospitals to develop a community benefits plan and file an annual report of the plan with the state department. Creates a civil penalty for failure to make a report of the community benefits plan. Requires nonprofit hospitals to conspicuously post notice of any charity care program within specified areas of the hospital.

PUBLIC LAW 95 - HOUSE ENROLLED ACT 1119 - EFFECTIVE JULY 1, 1994 - HEALTH -

IC 16-20-2-2; IC 16-20-4-5. Applies to Tippecanoe County (which has one countywide health department).

EFFECTIVE MARCH 11, 1994 - Adds a new section IC 16-41-11-10. Provides that the state department of health may authorize by rule expert review panels to provide confidential consultation and advice to health care workers who are infected with the human immunodeficiency virus or infected with the hepatitis-B virus and are hepatitis-Be antigen positive. Provides that a member or a member of the staff of an authorized expert review panel is immune from civil liability for any act, statement, determination, or recommendation made in good faith in the scope of the panel's duties.

PUBLIC LAW 100 - HOUSE ENROLLED ACT 1160 - EFFECTIVE JULY 1, 1994 - UNKNOWN

BIOLOGICAL FATHERS - Establishes the putative father registry for the purpose of determining the identity and location of an unknown putative father in order to provide notice of adoption to the putative father. Imposes registration requirements on a putative father whenever the child's mother has not disclosed the identity or address of the putative father to the attorney or agency that is arranging the child's adoption. Defines a putative father as a man who may be a child's father but who: (1) is not married to the child's mother on or before the date that the child is born; or (2) has not established the child's paternity in a court proceeding. Requires the state department of health to administer the registry and provides for self-funding of the registry. Prescribes procedures for administering the registry.

PUBLIC LAW 101 - HOUSE ENROLLED ACT 1344 - CHILD SUPPORT - IC 16-37-1-6; IC

31-2-1-37.5; IC 31-2-10; IC 31-2-11; IC 31-6-6.1. Requires a court or Title IV-D agency to give full faith and credit to a paternity determination made by any other state or foreign jurisdiction. Prescribes procedures for objecting to the admissibility of genetic test results in a paternity action. Establishes a rebuttable presumption of paternity if a man undergoes a blood test that indicates with at least a 99% probability that the man is the child's biological father. Amends income withholding statutes to require a court to implement or activate an income withholding order in each child support case unless: (1) the parties submit a written agreement providing for an alternative child support arrangement; or (2) the court determines

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PUBLIC LAW 101 - HOUSE ENROLLED ACT 1344 (CONTINUED)

that good cause exists not to require immediate income withholding. Provides that the statute applies regardless of whether the obligor is delinquent in the payment of child support. Makes certain other changes in the law governing the payment of child support. Provides that a man who is alleged father in a paternity action and fails to appear for a paternity hearing shall have a default order entered against him upon a showing that the man received notice. Provides that an executed paternity affidavit allows the mother to obtain a child support order without any further proceedings to establish the child's paternity provided the man who executed the affidavit does not present evidence to rebut paternity. Provides that whenever a court vacates a man's paternity based on fraud or mistake of fact, the man's child support obligation, including any arrearage, terminates.

PUBLIC LAW 116 - HOUSE ENROLLED ACT 1022 - EFFECTIVE MARCH 18, 1994 - RISK POOLS - NONCODE - Requires the State Board of Accounts to audit public entity risk pools organized under IC 36-1-7. Similar language is contained in Public Law 130.

PUBLIC LAW 118 - SENATE ENROLLED ACT 1252 - EFFECTIVE JULY 1, 1994 - AMERICANS WITH DISABILITIES ACT (ADA) - Adds IC 22-12-2-6. Requires fire prevention and building safety commission to adopt building rules for construction and conversion of buildings for the purpose of complying with ADA.

PUBLIC LAW 130 - SENATE ENROLLED ACT 355 - EFFECTIVE MARCH 4, 1994 - PUBLIC ENTITY RISK POOLS - NON CODE - Requires the State Board of Accounts to conduct an audit of all public entity risk pools organized under IC 36-1-7 and present such audits to an interim study commission by August 1, 1994.

PUBLIC LAW 143 - HOUSE ENROLLED ACT 1181 - EFFECTIVE MARCH 8, 1994 - VALIDATION OF MARRIAGES - IC 31-7-3. Provides a method for married individuals to correct errors made by the party who solemnized the marriage. Allows a court to issue a declaratory order affirming the marriage on the date the marriage occurred. Requires the clerk of the circuit court to issue a duplicate marriage license. Provides that the court order has the same legal effect as a properly attested and filed marriage certificate. Provides that the state department of health must accept a court's declaratory order solemnizing a marriage in place of a marriage certificate.

PUBLIC LAW 145 - HOUSE ENROLLED ACT 1106 - EFFECTIVE JULY 1, 1994 - LIENS - IC 32-8-3-1; IC 32-8-3-3. Specifies that a person who sells or furnishes on credit any material, labor, or machinery for the original construction of a single or double family dwelling for the intended occupancy of the owner upon whose real estate the construction takes place to any contractor, subcontractor, mechanic, or anyone other than the owner or the owner's legal representatives must: (1) furnish the owner of the real estate as named in the latest entry in the county

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PUBLIC LAW 145 - HOUSE ENROLLED ACT 1106 (CONTINUED)

auditor's or township assessor's transfer books with a written notice of the delivery or labor and the existence of 1994 lien rights; and (2) file a copy of the written notice with the recorder's office of the county within 60 days from the date of the first delivery or labor performed.

PUBLIC LAW 146 - HOUSE ENROLLED ACT 1265 - EFFECTIVE JULY 1, 1994 - MORTGAGE

DOCUMENTS AND FORECLOSURES - IC 32-8-11-7. Provides that a signature facsimile is valid for executing mortgage releases and mortgage assignments.

PUBLIC LAW 151 - HOUSE ENROLLED ACT 1147 - EFFECTIVE JULY 1, 1994 - SMALL

CLAIMS ACTIONS - IC 33-11.6-4-6; IC 34-1-60-1. Specifies that the state is not required to appear by attorney in civil actions filed: (1) on a small claims docket of a circuit, superior, or county court; or (2) with the Marion County small claims court.

PUBLIC LAW 152 - HOUSE ENROLLED ACT 1180 - EFFECTIVE JULY 1, 1994 - OUT OF

STATE SERVICE OF PROCESS FEE - Sheriff's pension fund. Establishes an out-of-state case service of process fee of \$40. Allows a county to make a line item appropriation directly to a sheriff's pension plan. Legalizes county actions take before July 1, 1994, to directly appropriate money to a sheriff's pension plan.

PUBLIC LAW 156 - SENATE ENROLLED ACT 87 - EFFECTIVE MARCH 11, 1994 - SPECIAL

DEATH BENEFIT FEE - Amends IC 35-33-8-3.1. Requires the clerk of a city or town to again collect or retain the five dollar (\$5.00) special death benefit fee where a defendant is required to execute a bail bond. (This fee originally expired December 31, 1993).

PUBLIC LAW 157 - SENATE ENROLLED ACT 377 - EFFECTIVE JULY 1, 1994 - CRIME

VICTIM NOTIFICATION - IC 35-33-12. Requires a law enforcement agency to notify the alleged victim of a crime or an act that would be a crime if committed by an adult if the law enforcement agency will release the alleged perpetrator before the alleged perpetrator is to appear at the trial of the matter. Provides that a law enforcement agency is not required to provide this notice: (1) unless the victim gives the law enforcement agency a telephone number or an address that the law enforcement agency may use to notify the victim; or (2) if the victim requests in writing that the victim not be notified.

PUBLIC LAW 159 - HOUSE ENROLLED ACT 1068 - EFFECTIVE JULY 1, 1994 -

EXPUNGEMENT OF ARREST RECORDS - IC 35-38-5-1. Allows a court to summarily deny a petition for the expungement of records related to an arrest if the court determines that: (1) the petition is insufficient; or (2) the petitioner is not entitled to an expungement of records as shown in information contained in sworn statements submitted by a state or local governmental agency that opposes the expungement.

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PUBLIC LAW 161 - SENATE ENROLLED ACT 156 - EFFECTIVE JULY 1, 1994 - BAD

CHECKS - Adds IC 35-43-5-12. Defines check fraud (a Class D felony) on the part of a person who knowingly or intentionally obtains property, through a scheme or artifice, with the intent to defraud by issuing or delivering certain types of checks, drafts, orders or electronic debit, or an order on a financial institution.

PUBLIC LAW 165 - SENATE ENROLLED ACT 180 - EFFECTIVE JULY 1, 1994 - DISPOSAL

OF PROPERTY - Adds IC 36-1-11-4.2. Amends IC 36-1-11. Exempts certain residential structures or improvements by a municipal corporation from the requirements contained in IC 36-1-11 - Allows disposing agency to negotiate certain sales of real property . Raises the limit on assessed value for sales to abutting landowners to \$5,000.

PUBLIC LAW 166 - HOUSE ENROLLED ACT 1010 - EFFECTIVE JULY 1, 1991 -

ANNEXATION - Amends IC 36-4-3-4. Adds cities and towns in Cass and Huntington counties to this section of law that allows for annexation of territory not contiguous to the city that is used for an industrial park.

PUBLIC LAW 167 - HOUSE ENROLLED ACT 1101 - EFFECTIVE JULY 1, 1994 -

SATELLITE DISHES - Adds IC 36-7-4-201.1. A local zoning ordinance that addresses a satellite receiver antenna and another type of antenna is void unless the zoning ordinance: (1) has a reasonable and clearly defined health; safety; or aesthetic objective; (2) does not: (a) impose an unreasonable restriction on or prevent the reception of satellite signals by satellite receiver antennas; or (b) impose cost on the users of satellite receiver antennas that are excessive in comparison to the purchase and installation cost of the satellite receiver antennas; and (3) does not prohibit installation of a satellite receiver antenna that is more than two (2) feet in diameter.

PUBLIC LAW 168 - HOUSE ENROLLED ACT 1120 - EFFECTIVE JULY 1, 1994 - REGIONAL

PLAN COMMISSIONS - LAKE COUNTY - Amends IC 36-7-7-4. Expands membership of commission to include a person appointed by the executive of each of the five (5) largest towns in the county and of each city having a population of less than 50,000.

PUBLIC LAW 171 - HOUSE ENROLLED ACT 1330 - EFFECTIVE JULY 1, 1994 - FIRE

PROTECTION DISTRICT - CUMULATIVE BUILDING AND EQUIPMENT FUND - IC 36-8-14. Allows a board of fire trustee of a fire protection district to establish a cumulative building and equipment fund. Provides that the state board of tax commissioners and the county legislative body that appoints the trustees of the fire protection district must approve establishment of the cumulative building fund.

PUBLIC LAW 172 - HOUSE ENROLLED ACT 1384 - EFFECTIVE VARIOUS DATES - BARRETT

LAW - Amends IC 36-9-36 and IC 36-9-37. Raises the interest rate on delinquent assessments to the rate prescribed in IC 36-1.1-37-10. Changes dates of mailing notice to persons defaulting on payment of waived assessments to not more than 60 days after default. Such notice must state the amount of the default, plus interest, is due by the following May 10 or November 10 after the notice is mailed. State the delinquent assessments turned over to the county treasurer are to be collected in the same manner as property taxes.

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LOCAL GOVERNMENT FINANCE STUDY COMMISSION - NON CODE - Reestablishes the commission to study property tax funding of local government.

PUBLIC LAW 173 - SENATE ENROLLED ACT 25 - EFFECTIVE MARCH 2, 1994 - HENDRICKS SUPERIOR COURT - P.L. 133-1992. Changes the effective date for the creation of the Hendricks superior court No. 3 from July 1, 1994, to January 1, 1995. Specifies the filing procedures for election to the Hendricks superior court No. 3.

PUBLIC LAW 174 - HOUSE ENROLLED ACT 1089 - EFFECTIVE JANUARY 1, 1993 - (RETROACTIVE) CUMULATIVE FUNDS - Extends for one year the property tax imposed in 1993 to provide money for: (1) a cumulative capital development fund in Spencer County; (2) a cumulative bridge fund in Fountain County; (3) a cumulative bridge fund in Hendricks County; (4) a cumulative bridge fund and a cumulative building fund for a courthouse in Brown County; (5) a cumulative building fund for a courthouse and a cumulative capital development fund in Harrison County; and (6) a cumulative building fund for a courthouse in White County. Allows Vanderburgh County to establish a tax in 1994 to fund a cumulative capital development fund.

PUBLIC LAW 175 - HOUSE ENROLLED ACT 1069 - EFFECTIVE MARCH 8, 1994 - VANDERBURGH COUNTY INCOME TAX - NON CODE - Delays the date on which Vanderburgh County's economic development income tax takes effect to the later of July 1, 1994, or the first day of the July or January, whichever occurs first, following the date the auditor of the county certifies to the department of state revenue that the federal government has officially selected the county as a site at which individuals will be employed in a government building to be subleased to the federal government.

PUBLIC LAW 176 - HOUSE ENROLLED ACT 1169 - EFFECTIVE MARCH 18, 1994 - FULTON COUNTY - Provides that Fulton County is entitled to receive deposits from the department of correction to be used for funding the operation of the county's jail, jail programs, or other county correctional facilities if the county complies with certain conditions.

PUBLIC LAW 177 - SJR 8 - VICTIMS OF CRIME - ARTICLE 1, SECTION 13 OF THE CONSTITUTION OF THE STATE OF INDIANA - Gives victims of crime as defined by law, the right to: (1) be treated with fairness and respect throughout the criminal justice process; (2) be informed of and present during public hearings; and (3) confer with the prosecution, to the extent that exercising these rights does not infringe upon the constitutional rights of the accused. This proposed amendment has not been previously agreed to by a general assembly. **Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

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PUBLIC LAW 178 - SJR 10 - SUFFRAGE RIGHTS AMENDMENT ARTICLE 2 AND ARTICLE 16

OF THE CONSTITUTION OF THE STATE OF INDIANA - Provides that the voter residency requirements set forth in the Constitution of the State of Indiana do not disenfranchise an otherwise qualified citizen entitled to vote in a precinct under federal law. Permits the general assembly to provide that a citizen who ceases to be a resident of a precinct during the 30 days before an election may vote. Strikes a provision concerning general elections in townships on dates other than the first Tuesday after the first Monday in November. Specifies that constitutional amendments agreed to by two successively elected general assemblies are submitted to the electorate at the next general election unless the general assembly provides by law for another submission date. Makes other stylistic changes. This proposed amendment has not been previously agreed to by a general assembly. **Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.